

# ecoNews — Wire —

IOWA DEPARTMENT OF NATURAL RESOURCES

June 4, 2004

For immediate release

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## **SWIMMING ADVISORIES POSTED AT SIX STATE PARK BEACHES; THREE ADVISORIES REMOVED**

DES MOINES — Swimming advisories have been posted at six state park beaches this week, while three advisories have been removed.

Swimming advisories will remain posted at the following state park beaches:

- Backbone (Delaware County)
- Beed's Lake (Franklin County)
- Lake Darling (Washington County)
- Rock Creek (Jasper County)
- Union Grove (Tama County)

All five of these beaches are on the list of 10 vulnerable beaches in Iowa that have had a history of high bacteria levels in the past, so advisory signs are posted immediately.

Big Creek in Polk County will also post a swimming advisory sign. While Big Creek is not considered a vulnerable beach, it has recorded high bacteria levels for two consecutive weeks.

Swimming advisories were removed from beaches at George Wyth in Black Hawk County, Prairie Rose in Shelby County and Lake of Three Fires in Taylor County.

“After monitoring beaches for over four years, we’ve learned that bacteria levels tend to rise after a rainfall,” said Jessie Rolph, an information specialist with the DNR. “With the large amount of rain the state has received lately, it’s not a big surprise to have elevated levels at some of the beaches.”

Lake Macbride in Johnson County, Lake Wapello in Davis County and Springbrook in Guthrie County all recorded high bacteria levels this week but will not post swimming advisory signs. Because these three beaches have not had a history of high results in the past, they will be re-sampled next week. If results at these three beaches are high again next week, they must post a swimming advisory sign.

Swimming advisories do not mean that beaches are closed, only that swimming is not recommended. Park visitors can still take part in other beach activities like sunbathing and volleyball.

Bacteria levels at Iowa’s 28 other state parks were within acceptable levels.

Weekly beach monitoring results, along with an informational guide on understanding monitoring results, are available at [www.iowadnr.com/news/beach.html](http://www.iowadnr.com/news/beach.html).

**For more information, contact Janice Boekhoff at (319) 931-6050 or Jessie Rolph at (515) 281-5131.**

# # #

## **DNR REMINDS OWNERS TO GET PERMITS BEFORE REPAIRING FLOOD-DAMAGED BUILDINGS**

DES MOINES – The DNR encourages anyone with buildings affected by recent flooding to contact their local county or city officials before repairing a flood-damaged structure.

"I know residents are anxious to rebuild, but permits are needed for certain building repair projects," said Bill Cappuccio, DNR senior engineer. As Iowa’s coordinator for the National Flood Insurance Program, Cappuccio has seen what the victims of flooding have experienced on many occasions.

“If requirements for elevating or flood proofing are not followed, the structure is in danger of more damage in the next flood – and your community may risk losing its eligibility for participation in the National Flood Insurance Program,” Cappuccio said.

Local flood plain managers know if a permit is needed and of any special requirements for a permit. For example, if the cost of repairs is 50 percent or more of the pre-flood market value of the building, the building would have to be elevated or flood proofed to one foot above the 100-year flood elevation.

Buildings damaged that severely (50 percent or more) that were covered by a National Flood Insurance policy may be eligible for up to \$30,000 in Increased Cost of Compliance coverage. These benefits can help owners comply with the community's elevation and flood proofing requirements for repair of the building.

Many communities can issue needed permits locally. If the community does not have that authority, local officials will steer residents to the DNR to obtain a permit.

**Priority processing available**

"If you are told that you need to contact the DNR for a permit, ask your local official for a special application packet," said Kelly Stone, supervisor of the DNR flood plain management program. "If you apply for a permit using the materials in the packet, we will recognize the application as one for a flood-damaged area and give your project immediate attention."

DNR staff mailed packets to nearly 100 communities in flooded areas on Wednesday.

**For more information, contact Bill Cappuccio at 515-281-8942 or Kelly Stone at 515-281-4312.**

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## **STATE KICK STARTS SMOKING TAILPIPE PROGRAM**

DES MOINES — Airwaves and billboards will carry educational messages this summer to promote efforts to identify and repair vehicles with smoking tailpipes to maintain good air quality and help motorists save fuel, DNR officials announced today.

The summer campaign will promote the phone number "1-888-END-SMOG" that citizens can use to call in Iowa license plate numbers of vehicles with excessive exhaust. Vehicle owners are then sent educational materials to help them identify likely mechanical problems and solutions. Coupons for discount vehicle service and parts from nearly 500 locations statewide are also included.

"Owners can then make an educated, voluntary decision about what to do," said Brian Button, a spokesman for the Department of Natural Resources. He said nearly half voluntarily take action after learning early repairs can help avoid costly engine damage, losses in resale value, damaged parts, decreased engine life, and fuel waste. "With high fuel prices, we think people will have an added incentive this year to make repairs," he said.

The media campaign kicks off June 7 and runs through September with billboards in the Des Moines metro and eastern Iowa cities and radio concentrated in those areas and statewide.

“Over half of all vehicle emissions come from just 10 percent of vehicles on the road—those with smoking tailpipes,” said Button. Excess exhaust is unhealthy to breathe and the new program helps educate motorists on the benefits of maintenance and repairs to voluntary clean up the heaviest emitters.

The program kicked off last year with over 2,000 reports made so far and a 45 percent voluntary repair rate. This year nearly 500 additional locations statewide will participate in offering discount rates for service and parts for repairs thanks to NAPA Auto Parts Stores and NAPA AutoCare Centers.

“For infants, children, the elderly and persons with asthma, maintaining good air quality is vital for health and disease prevention.” He said those groups are most susceptible to air contaminants such as vehicle related smog, soot and toxins.

“Some repairs are simple and inexpensive, such as changing clogged air filters and tune-ups. Other repairs may be more extensive, but at least the vehicle owner will have information to make an educated decision on whether to make repairs,” he said.

Several states have programs to reduce excessively emitting vehicles, but Iowa is the only state to offer coupons. “Iowans correctly recognize vehicles as a major emission source,” said Button.

The campaign is grant funded and does not use state general funds.

**For more information, contact Brian Button at (515) 281-7832.**

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## **ANIMAL PRODUCERS SHOULD CONTACT THE DNR IF BASINS ARE TOO HIGH**

DES MOINES – Livestock producers with full basins due to recent heavy rainfalls may need to contact the DNR if basins are close to flowing over and manure application fields are saturated.

“The biggest concern for open feedlots with runoff control basins is that they catch not just the rainfall on the basin, but also extra water from the feedlot areas and above the basin,” said Dan Olson, an environmental specialist at the Atlantic DNR field office.

Olson added that open feedlot basins are the ones most likely to be in danger of overtopping and that overtopping can lead to structural failure.

He advises producers to de-water the runoff control basins according to the schedule in their operation permit. The DNR should be notified if that schedule can’t be met or if there are other concerns such as saturated fields and a basin that is in danger of failure.

“In most cases, confinement feeding operations will not be significantly affected by recent rains, because they don’t collect rainfall from other areas,” Olson said.

For confinement feeding operations with basins, lagoons or outside pits, producers may need to modify their manure management plans to reflect lower nutrient concentrations. Confinement producers should apply manure at agronomic rates according to their updated manure management plan.

“Again, confinement producers should notify the DNR if there are any concerns such as someone who usually injects manure, but needs to surface apply on alfalfa to maintain freeboard – something that might result in odor complaints,” said Olson.

Local DNR field offices can be found on the DNR Web site at [www.iowadnr.com](http://www.iowadnr.com).

**For more information, contact Dan Olson, Atlantic DNR field office, at 712-243-1934.**

# # #

**(NOTE TO EDITORS:** See Enforcement Actions below for a list of producers who have recently received administrative orders for not having a required manure management plan.)

## **PENALTIES RAISED FOR LATE MANURE MANAGEMENT PLANS**

DES MOINES – In responding to producer concerns, the DNR has decided to assess higher penalties for overdue manure management plans if field office staff must search for the confinement producers.

“Several producers who have voluntarily submitted their overdue plans have said that their penalties should be lower than penalties for producers the DNR must actively seek out,” said Mike Murphy, chief counsel for the DNR.

In response to those concerns, the DNR will raise the standard penalty for not having a required plan to \$3,000 if staff has to find the producers, Murphy said.

Those who voluntarily submit the plans will still be charged a penalty of \$1,500.

“The additional penalty should provide an incentive for producers to submit the plans as soon as possible,” Murphy said.

Manure management plans have been required for confinement feeding operations since 1995. Since April, 2002, the plans have been required for confinements with more than 500 animal units or 1250 finishing swine, 500 beef cattle or about 357 mature dairy cattle.

Contact your local DNR field office for more information about manure management plans or check under animal feeding operations on the DNR Web site at [www.iowadnr.com](http://www.iowadnr.com).

**For more information, contact Randy Clark at 515/281-8891, or Kelli Book at 515-281-8563.**

# # #

## **DNR ENFORCEMENT ACTIONS**

DES MOINES — The DNR has taken the following enforcement actions. Responsible parties have 30 days to appeal the charges or 60 days to pay the penalty.

- Maquoketa Shoreline Development, Inc. and John Thola, of Charlotte, were ordered to obtain and maintain all required storm water discharge permits, to develop and comply with adequate pollution prevention plans at all times and to prevent sediment runoff. The parties were also ordered to inspect and repair (as necessary) erosion/sediment control devices weekly and within 24 hours after each half-inch or greater rainfall event, to maintain proper records and to pay a \$10,000 penalty. The order is in regards to the development of a planned residential area in Maquoketa.
- Wayne Schlotfeldt, of Le Mars, was notified that the DNR intends to permanently revoke his Grade IL Wastewater Treatment Operator Certificate. The order is in regards to Schlotfeldt's position as wastewater treatment supervisor for the City of Brunsville and failure to submit required monthly records of operation.
- The City of Brunsville was ordered to comply with wastewater monitoring and reporting requirements, to submit a complete application for an NPDES permit, to retain a new, certified operator and to pay a \$1,000 penalty. The order is in regards to failure to monitor the wastewater facility and/or submit required reports and operating the wastewater treatment facilities without a permit.
- Hearth & Home Technologies, of Mount Pleasant, was ordered to comply with all conditions of its air quality construction permits and to pay a \$1,500 penalty. The penalty has been paid.
- Linwood Mining & Materials Corp., of Davenport, was ordered to comply with air quality construction permit requirements and conditions, to maintain and operate all equipment in a manner consistent with minimizing emissions and to pay a \$10,000 penalty.
- Kevin Green, of DeWitt, was ordered to cease the open burning of tires, asphalt shingles and other solid waste, and to pay a \$1,000 penalty. The order is in regards to open burning in Clinton County.

- Galen Haack, of Hospers, was ordered to cease the open burning of tires and other solid waste, and to pay a \$1,000 penalty.
- Shane Preder, of Fort Madison, was ordered to cease the open burning of tires, paint cans, appliances and other solid waste, and to pay a \$1,000 penalty. The order is in regards to open burning at the Westside Park for Mobile Homes near Fort Madison.
- Ray Zellmer, of Wiota, was ordered to stop open burning of prohibited solid waste, to stop improper dumping of solid waste and to dispose of all remaining prohibited solid waste on his property. Zellmer was also ordered to comply with open burning and solid waste disposal regulations in the future and to pay a \$2,000 penalty.
- Racer's Bar and Grill, of Algona, was ordered to comply with bacterial and nitrate monitoring requirements, to provide public notice of violations and proof of such notice, and to pay \$125 for the 2004 annual fee and late fee and a \$1,000 penalty.
- The Catfish Place, of Muscatine, was ordered to comply with bacterial and nitrate monitoring requirements, to provide public notice of violations and proof of such notice, and to pay \$250 for 2003 and 2004 annual fees and late fees and a \$700 penalty.
- Rural Iowa Solid Waste Management Association, of Hardin County, was ordered to provide adequate daily and intermediate cover on all landfilled solid waste and to pay a \$5,000 penalty.
- Casey's Marketing Company, of Ankeny, was ordered to cease violations of rules for proper operation, maintenance and record keeping of corrosion protection systems at all its underground storage tank (UST) sites in Iowa. Casey's was also ordered to conduct an inspection and necessary repairs of the corrosion protection system at its Eagle Grove site and to submit a report. Casey's was also ordered to conduct an internal audit of all its UST sites to determine if proper inspections have been conducted and that systems are in compliance with DNR rules and to submit a report. Casey's was also ordered to pay a penalty of \$18,101. The order is in regards to the following Casey's UST sites in Iowa:
  - Eagle Grove: 200 S. Commercial Ave.
  - Ankeny: 7015 NE 14th St.
  - Morning Sun: 618 S. Church St.
  - Middletown: Hwy 34 East
  - Woodward: 204 S. Main St.
- Matt Hoffman, of Plymouth County, was ordered to submit an updated manure management plan and annual compliance fee, and to pay a \$750 penalty.

- Steve Grettenberg, of Dayton, was ordered to comply with manure applicator certification requirements and to pay a \$1,000 penalty. The order is in regards to application of confinement feeding operation manure to land without proper certification.

In a separate administrative order, Grettenberg was ordered to submit an updated manure management plan and annual compliance fee, and to pay a \$500 penalty.

- Hunt Brothers, of O'Brien County, was ordered to pay a penalty of \$1,500. The order is in regards to failure to submit a manure management plan (MMP). The MMP and applicable fees have since been submitted.
- Allan Glienke Farm, of Buena Vista County, was ordered to pay a \$1,500 penalty. The order is in regards to failure to timely submit a manure management plan (MMP). The MMP and applicable fees have since been submitted. The order has been appealed.
- Boge Farms, of Clay County, was ordered to pay a \$1,500 penalty. The order is in regards to failure to timely submit a manure management plan (MMP). The penalty has been paid.
- Greg DeBoer and G & S Farms, of Lyon County, were ordered to pay a penalty of \$1,500 and a manure management plan (MMP) filing fee of \$250. The order is in regards to failure to timely submit an MMP and failure to submit the MMP filing fee. The MMP has since been submitted.
- Steve Link, of Clayton County, was ordered to pay a \$1,500 penalty. The order is in regards to failure to timely submit a manure management plan (MMP). The MMP has since been submitted.
- Deer Ridge Sew Feeder Pigs, L.C. and Doug Reimer, of Clayton County, were ordered to submit manure management plan (MMP) indemnity fees and filing fees, and to pay a \$1,500 penalty. The order is in regards to failure to timely submit a manure management plan (MMP) and failure to submit the indemnity fee and MMP filing fees. The MMP has since been submitted. The order has been appealed.
- Allen Hoeper, of Bremer County, was ordered to submit a completed manure management plan (MMP) and fee, and to pay a \$1,500 penalty. The order is in regards to failure to timely submit an MMP.
- Dunphy Poultry, of Union County, was ordered to submit a completed manure management plan (MMP) and fee, and to pay a \$1,500 penalty. The order is in regards to failure to submit an MMP.
- Keith Haroldson, of Johnston, was ordered to submit an updated manure management plan (MMP) and annual compliance fee, and to pay a \$750 penalty. The order is in regards to failure to submit an updated MMP for a confinement feeding operation in Buena Vista County.



- GarLain Farms and Gary A. Grimm, of Fayette County, were ordered to pay a penalty of \$1,500. The order is in regards to failure to timely submit a manure management plan (MMP). The MMP has since been submitted.
- Gary Schley, of Titonka, was ordered to submit a completed manure management plan (MMP) and fee, and to pay a \$1,500 penalty. The order is in regards to failure to submit an MMP.
- Darren Lauritsen, of Exira, was ordered to submit a completed manure management plan (MMP) and fee, and to pay a \$1,500 penalty. The order is in regards to failure to submit an MMP for a facility in Hamlin Township, Audubon County.

In a separate administrative order, Lauritsen was ordered to submit a completed manure management plan (MMP) and fee, and to pay a \$1,500 penalty. The order is in regards to failure to submit an MMP for a facility in Leroy Township, Audubon County.

- Albert Berte, of Humboldt County, was ordered to submit a complete manure management plan (MMP) and fee, and to pay a \$1,500 penalty. The order is in regards to failure to submit an MMP. The penalty has been paid.

### **Consent Orders**

A consent order is issued in settlement of an administrative order or as an alternative to issuing an administrative order. A consent order indicates that the DNR has voluntarily entered into a legally enforceable agreement with the other party.

- Sunrise “BEIFF” Feedlot, L.L.C., of Cedar Rapids, has agreed to a consent order regarding a large open lot and confinement beef cattle feeding operation in Benton County. Sunrise was ordered to comply with manure control and land application requirements, comply with requirements for obtaining permits and to install a concrete pad in its earthen runoff control basin. Sunrise was also ordered to properly dispose of all dead animals, submit a plan of action detailing steps leading to compliance with deadline, and to pay a \$10,000 penalty.

**For more information, contact Jessie Rolph at (515) 281-5131 or [Jessie.Rolph@dnr.state.ia.us](mailto:Jessie.Rolph@dnr.state.ia.us).**